

# **Exhibit 10**

The Office of

# Secretary of State Jocelyn Benson



SOS / ELECTIONS / ELECTION SECURITY IN MICHIGAN


## Fact Checks

In the 2020 election cycle, Michiganders have been inundated by more election misinformation than ever before. It has come in the form of robocalls, text messages, social media posts and even meritless lawsuits and investigations seeking nothing but media attention. This page provides accurate information debunking these spurious claims and allegations.

### Civic groups cannot access or edit the voter file

Civic groups cannot log into, access, edit or modify the state's Qualified Voter File. This includes Rock the Vote.

As **was announced in June**, the Michigan Department of State (MDOS) has worked with the nonpartisan voter education group Rock the Vote to build a secure API ("application programming interface") to facilitate the voter registration of eligible Michigan citizens. The tool, which exists in other states and which other organizations can use as well, allows organizations to collect voter registration applications electronically and securely submit them to Michigan's online voter registration system. To do so, the voter must provide all information needed to register to vote online in Michigan. Organizations using the tool do not receive any type of payment from MDOS and they do not have access to voter information that is not publicly available.

When a voter registration application was submitted to the online voter registration tool by a group using the API, that organization's name is indicated only for record-keeping purposes. This does not mean the group can log into or edit the Qualified Voter File – they can't. 

### All Michigan counties certified their elections

The boards of county canvassers in all of Michigan's 83 counties have certified their results in the Nov. 3 general election. Each board is comprised of two Republicans and two Democrats appointed by the local county commission. Michigan law requires that they review local elections and certify the official results. Although the Board of Wayne County

Canvassers initially deadlocked 2-2 in its Nov. 17 vote to certify, later in the same meeting, members voted 4-0 to certify. The initial vote was taken after some canvassers expressed concern about precincts that were out of balance in Detroit. However, out-of-balance precincts are common in Michigan and across the nation. They essentially represent clerical errors where the number of people who were checked into each poll book doesn't exactly match the number of votes counted or ballots submitted. There are many reasons why this can occur: for example, a voter being checked in at the right polling place but the wrong precinct, or a voter checking in but leaving with their ballot if the line was long. In fact, based on data reported at the Board of Wayne County Canvassers meeting, 72% of all Detroit precincts were balanced or explained, compared to just 42% in 2016, when both the boards of county and state canvassers certified the election.

## Detroit officials say absentee ballot counting was transparent and accurate

Various statements released by Detroit officials and election advisors make clear that absentee ballot counting was observed by hundreds of Republicans and Democrats, as well as independent media, and that only ballots received by 8 p.m. on Election Day were counted. Claims to the contrary were found by Wayne County Circuit Court Chief Judge Timothy Kenny, originally appointed by Republican Governor John Engler, to be **"incorrect and not credible"** in his order denying the requests of a lawsuit. **A more detailed explanation is available here.**

## Security protections prevent voting in another person's name

In Michigan, absentee ballots are not counted until a voter has twice provided signatures matching the one on file with their local election clerk. Similarly, upon arriving at a polling place, voters are asked to provide photo ID or sign an affidavit confirming their identity and eligibility to vote. Voting in another person's name – regardless of if it is the other person's maiden name or the person has moved – is illegal and any voter with actual evidence of such an act should report it immediately, in writing, to law enforcement so that it can be investigated and referred for prosecution. Actual occurrences of voter fraud are exceedingly rare.

## Deceased voters' ballots are not counted

Ballots of voters who have died are rejected in Michigan, even if the voter cast an absentee ballot and then died before Election Day. Those who make claims otherwise are wrong, and the lists circulating claiming to show this is happening are not accurate. Many of the lists do not contain enough information to accurately compare them to the Michigan Qualified Voter File. MDOS and news organizations have drawn samples and reviewed samples of lists claiming to show votes cast by deceased individuals in Michigan. We are not aware of a single confirmed case showing that a ballot was actually cast on behalf of a deceased individual. **A more detailed explanation is available here.**

## Unofficial election results are a good snapshot of the election

Michigan's unofficial election results are a good snapshot of what the final results will look like. It's not unusual to see reporting errors in unofficial results. They're quickly caught and corrected. While some errors in unofficial results were identified and corrected, they were errors in how the unofficial results were REPORTED, not errors that affected how ballots were actually COUNTED. In Michigan voters use paper ballots and paper tallies that are secured and stored. No voter was disenfranchised by these errors. The official results come after the bipartisan boards of county canvassers review and certify results.

## Isolated user error in Antrim County did not affect election results, has no impact on other counties or states

The error in reporting unofficial results in Antrim County Michigan was the result of a user error that was quickly identified and corrected, did not affect the way ballots were actually tabulated, and would have been identified in the county canvass before official results were reported even if it had not been identified earlier. **A more detailed explanation is available here.**

### Additional information



<https://www.dominionvoting.com>  
<https://www.cisa.gov/rumorcontrol>

## Your ballot will not be invalidated because you used a Sharpie

The use of a Sharpie to mark a ballot will not invalidate or cancel a ballot or vote. If the marker does bleed through to the other side, ballots are designed so that the bleed through does not touch or come near a voting area on the other side of the ballot. It will not alter or

cancel any vote on the opposite side. The Sharpie is the recommended marking instrument by the tabulator manufacturer and is preferable to an ink pen because it dries quickly and will not leave residue on the ballot scanner.


## Ballots received after the deadline are not counted, regardless of postmark

Michigan's election clerks count valid ballots that they received at their offices or in their official ballot drop boxes by 8 p.m. on Election Day. Ballots received thereafter, regardless of the postmark, are not counted.

## Department of State election results site only includes counties that have finished counting

Because Michigan's election system is decentralized, results are reported from local jurisdictions to counties, and only after a county has all jurisdictions reporting are its results added to our website. Media get real time results from local and county sites.

## Complete results will not be available on election night

After polling places close on election night, jurisdictions across the state will begin to report voting results. However, in many jurisdictions, these results will only include the ballots voted in the polling places on Election Day, and not the jurisdiction's absentee ballots. This is because absentee ballots take much longer to process and count than the ballots that voters use at polling places, and are often counted in separate locations focused on processing them accurately and efficiently. Security checks must be performed, envelopes must be  opened, and the ballots must be tracked, flattened and run through the tabulation machine. Other states provide election clerks weeks to prepare absentee ballots before Election Day. Florida gives clerks 40 days. The Michigan Legislature provided clerks only 10 hours. For this reason, complete, unofficial results from all jurisdictions will not be available in Michigan on election night, and it likely won't be possible to determine winners in close statewide races on Election Night, either. In the August primary, 1.6 million absentee ballots were cast, and it took about 40 hours until all jurisdictions reported results. More than 3 million voters have requested absentee ballots for the November general election, so it will likely take 80 hours, meaning that all jurisdictions will not report full results until Friday, Nov. 6. They could come sooner, however, thanks to the extraordinary work of local clerks, and the resources

provided by the state, including the recruitment of more than 30,000 election workers and provision of federal funds for automatic envelope openers and more ballot tabulation machines.

## Poll challengers and watchers must follow rules

There are rules regarding the conduct of poll challengers and watchers. In Michigan, neither can speak directly to voters or record activity taking place in a polling place. Both must wear masks. Challengers are allowed to step behind the processing table while watchers cannot. Challenges cannot be issued without the challenger providing a good reason they believe the voter is ineligible. If the voter is able to demonstrate they are eligible, they will vote a challenged ballot, which will be tabulated as normal, but is marked so that it could be retrieved later if the voter is found to be ineligible. If the voter cannot demonstrate eligibility at the polling place, the voter may cast a provisional ballot, which will not be tabulated unless the voter can prove eligibility within six days.

## Ballot counting machines are secure

Michigan uses all paper ballots, which are counted by tabulator machines. Vote tallies are printed and the paper record of the tallies as well as the paper ballots are stored in secure locations after counting is finished. The machines are not connected to the internet until all counting is finished and copies of the tally have been printed. Then some jurisdictions may connect a machine to send UNOFFICIAL results to the county clerk, while a copy of the paper tally is also driven to the county clerk.

## Absentee ballots are secure and will be counted fairly



To obtain an absentee ballot in Michigan, a voter must first submit an application with a signature that matches the one the clerk has file for them. Unless this is done, no voter can even get a ballot. Once a voter does receive a ballot, they again must provide a matching signature on the back of the ballot return envelope. Their vote will not be counted unless they provide a matching signature. All valid absentee ballots received by 8 p.m. on Nov. 3 will be counted. Each will be counted by a bipartisan pair of election workers – one from each major political party – who are trained to process ballots without any political bias and in accordance with the law.

## More registered voters leads to stronger democracy


When more people participate in our democracy, it better reflects the will of the people. For decades, Michigan has had one of the best motor-voter systems in the country, resulting in a great voter registration rate among eligible citizens. Voters made the system even stronger when they amended our state constitution in 2018 to require automatic voter registration. Unless they opt out, all eligible citizens are now registered when conducting a driver's license or state identification transaction with our office. Additionally, residents who are already registered have their registration reviewed for validity every time they conduct such a transaction with the Department. Michigan's registration list includes both active and inactive voters. Federal law requires that inactive voters remain on the list for several years before they can be removed. If an inactive voter – for example, someone who has not voted in recent elections – chooses to vote again, they are again listed as active.

## Your personal information is safe when you vote absentee

All registered voters are listed in the state's qualified voter file, which is a custom built, modern system continuously monitored to ensure its security. Voting absentee does not add a voter's information to any other database.

Absentee voting is a safe, secure and time-tested method of voting.

## Absentee applications are mailed every election

Applications to vote absentee have been available on the MDOS website for many years, and have been frequently mailed to voters by both political parties, candidate campaigns and numerous non-partisan organizations. By mailing absentee applications to all registered voters as the COVID-19 pandemic began in Michigan, MDOS ensured that every voter knew they had the new right to safely cast an absentee ballot from home. 

Additionally, some residents received applications for voters who have moved or died. By marking the envelope with this information and returning it to sender, they advancing the multi-year process required by federal law to maintain the voter registration list.



**SOS Home**

**FAQ**

**Online Services**

**Forms**

**Contact the Secretary of State**

**FOIA**

**MICHIGAN.GOV HOME**

**ADA**

**MICHIGAN NEWS**

**POLICIES**

**COPYRIGHT 2020 STATE OF MICHIGAN**